

REMARKS

Currently, Claims 23 and 40 are pending.

In the Action, the drawings were objected to as not showing every feature of the invention specified in the claims. In particular, the Examiner alleged that the motor drive, first and second expansible chambers, base member outlet, drive train, puller, yoke, eccentric, vacuum regulator device, disk-shaped rotary valve member, and planar inboard surface are not shown in the drawings and must be supplied in a drawing correction or canceled from the claims.

The Examiner is reminded that there is no requirement that the words in the claim match those used in the specification disclosure (see MPEP 2173.05(e)). Applicants note that the claim elements highlighted by the Examiner are in fact shown in the drawings in each case. The motor drive is shown at least in FIG. 21 at 28''. The first and second expansible chambers are shown at least in FIG. 21 formed between diaphragm 70'' and cap 86'. (See page 19, lines 15 and 16 and lines 21 and 22). The base member outlet is shown at least in FIG. 21 at 20'. The drive train is shown at least in FIG. 21 at the combination of 52'', 48'' and 190 (See Claim 23 wherein the drive train includes an eccentric, puller and yoke). The puller is shown at least in FIG. 21 at 48''. The yoke is shown at least in FIG. 21 at 190. The eccentric is shown at least in FIG. 21 at 52''. The vacuum regulator device is shown at least in FIGS. 7B-7E (See page 12, line 25), and as well in the disc-shaped rotary valve member is shown at least in FIG. 2 at 95 and in FIGS. 7B-7E at 200. The planar inboard surface is shown at least in FIG. 2 and FIGS. 7B-7E (See page 12, lines 14-15). Since the drawings referred to above show a disk valve, and the specification discloses the underside of the disk being in facial engagement with the cap shown in FIG. 2, for example, and the claim recites that the disk-shaped rotary valve is mounted for rotational movement of said base member with said generally planar inboard surface against said base member, it follows that the disc shown in the drawings must have a planar inboard surface as recited in the claim.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter. As noted above, there is no requirement that the words in the claim

match those used in the specification disclosure. Nevertheless, many of the elements objected to are in fact set out in the specification exactly as recited in the claims.

The motor drive is shown at least in FIG. 21 at 28''' and discussed on page 19, line 4. The first and second expansible chambers are shown at least in FIG. 21 formed between diaphragm 70''' and cap 86' and discussed on page 19, lines 21 and 22. The base member outlet is shown at least in FIG. 21 at 20' and discussed on page 19, line 23. The drive train is shown at least in FIG. 21 at the combination of 52'', 48''' and 190 (See Claim 23 wherein the drive train includes an eccentric, puller and yoke) and discussed on page 19, lines 1-24. The puller is shown at least in FIG. 21 at 48''' and discussed on page 19, line 5. The yoke is shown at least in FIG. 21 at 190 and discussed on page 19, line 9. The eccentric is shown at least in FIG. 21 at 52''' and discussed on page 19, line 6. The vacuum regulator device is shown at least in FIGS. 7B-7E and discussed on page 12, line 25. The disc-shaped rotary valve member is shown at least in FIG. 2 at 95 and in FIGS. 7B-7E at 200 and discussed on page 12, lines 25-30. The planar inboard surface is shown at least in FIG. 2 and FIGS. 7B-7E and discussed on page 12, lines 14-15.

Claims 23 and 40 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,139,521 to Larsson ("Larsson"). For Larsson to anticipate the present claims, each and every element of the claims must be shown.

Larsson is directed to a single pump mechanism with a mechanism for alternating the periodic reduced pressure between first and second breast pumping units (Abstract). The single pump mechanism has a single diaphragm (See 50, FIG. 2) in part defining a single chamber (FIG. 2 and Col. 3, lines 49-51). A rotating valve 44 is driven by the motor (Col 3, line 33-34). The rotating valve 44 operates to alternate vacuum to two separate breast shields (Col. 4, 36-53).

Present Claim 23 requires two expansible chambers. Larsson lacks two expansible chambers. The present claim requires that each expansible chamber includes its own movable element and base member to change the volume of the chamber. Larsson lacks the second set of these elements. The drive train includes an eccentric, a puller and a yoke. Larsson does not have the same drive train, which lacks the yoke of the present invention. The present claim requires

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that the yoke expand and contract the volumes of both chambers in tandem as the eccentric is rotated. Larsson does not have this capability since there is only one chamber.

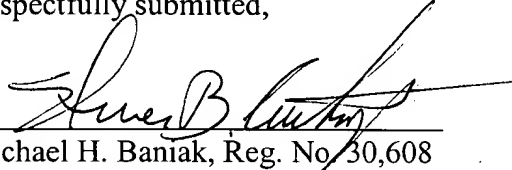
Since Larsson does not show each and every element of Claim 23 it cannot anticipate the claim. Since independent Claim 23 is not anticipated by Larsson, then Claim 40, which depends therefrom cannot be anticipated by Larsson.

Applicants request reconsideration and issuance of a Notice of Allowability is respectfully solicited.

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